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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/926,592

Applicant(s)
Yamazaki

Examiner
Matthew Whipple

Group Art Unit
2813



☒ Responsive to communication(s) filed on Dec 12, 1997

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 0 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 3-20 is/are pending in the application.

Of the above, claim(s) none is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☒ Claims 3-20 are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code Serial Number) _____

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

SEE NOTE ATTACHED TO THE FIRST ACTION SUMMARY

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Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 3-8, drawn to a process of forming an insulator/conductor, classified in class 438, subclass 763.
 - II. Claims 9-12, drawn to process of forming semiconductor/conductor, classified in class 438, subclass 647.
 - III. Claims 13-17, drawn to a process of forming an insulator/insulator, classified in class 438, subclass 761.
 - IV. Claim 18, drawn to a process of forming a conductor/conductor, classified in class 438, subclass 584.

* Claims 19 and 20 will be examined with whatever group is elected.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions I-IV are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the each invention effects a materially different structure.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art, it is necessary to restrict the examination to one of the inventions.

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4. A telephone call was made to Jeffery Costellia office on 3/15/99 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Whipple whose telephone number is (703) 308-2521.

March 15, 1999